

Claims

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- 95. (Withdrawn).
- 96. (Currently Amended) A programmed computer method of protecting based upon the six factors of a trade secret from the First Restatement of Torts for providing documentation,

analysis, auditing, accounting, protection, and other management relating to an existence, ownership, access and employee notice of a plurality of trade secrets of an organization, said method implemented by the programmed computer to effect comprising the following steps of:

a) applying a plurality of generally accepted legal criteria to a content of the trade secret providing a questionnaire of six multiple-choice questions on an output device of the programmed computer that elicit responses through an input device of the programmed computer as to the extent that a trade secret meets each of the six factors of a trade secret from the First Restatement of Torts, said six factors including (1) the extent to which the information is known outside of the business; (2) the extent to which it is known by employees and others involved in the business; (3) the extent of measures taken by the business to guard the secrecy of the information; (4) the value of the information to the business and to its competitors; (5) the amount of time, effort or money expended by the business in developing the information and (6) the ease or difficulty with which the information could be properly acquired or duplicated by others;

b) assigning a value under each criterion the programmed computer providing a numerical score value to each of the responses possible on the questionnaire; and

c) generating one or more metrics from the assigned values through the use of logical and mathematical processes, thereby allowing the comparison of results with predetermined threshold values the programmed computer accepting responses through the input device in response to the questionnaire with respect to a specific trade secret;

d) the programmed computer converting the individual responses received in c) to the respective numerical score values provided in b);

e) the programmed computer calculating the geometric mean, that is, the sixth root of the product, of the numerical score values of d) to create a single metric for the trade secret;

f) the programmed computer repeating steps c), d) and e) for each remaining trade secret of the plurality of trade secrets; and

g) the programmed computer ranking the plurality of trade secrets in ascending order or descending order of the calculated metric.

97. (Currently Amended) The method of ~~protecting the trade secret~~ as in claim 96 further comprising creating an application fingerprint from ~~a content of~~ the collected data associated with the trade secret.

98. (Currently Amended) The method of ~~protecting trade secrets~~ as in claim 97 wherein the step of creating the application fingerprint further comprises processing the content of the trade secret using a deterministic one-way algorithm.

99. (Currently Amended) The method of ~~protecting trade secrets~~ as in claim 97 further comprising transferring the application fingerprint from a creator of the trade secret to a trusted third party.

100. (Currently Amended) The method of ~~protecting trade secrets~~ as in claim 99 further comprising creating a certificate fingerprint from the application fingerprint by the trusted third party.

101. (Currently Amended) The method of ~~protecting trade secrets~~ as in claim 100 further comprising transmitting the certificate fingerprint from the trusted third party to the creator of the ~~trade secret~~ application fingerprint as a trade secret certificate.

102. (Withdrawn).

103. (Currently Amended) The method of ~~protecting trade secrets~~ as in claim 96 wherein the step of assigning the value further comprises assigning numeric values, ~~such as~~ on a scale of one to five or ~~such as~~ on a scale of zero to ten.

104. (Currently Amended) The method of ~~protecting trade secrets~~ as in claim 96 wherein the step of generating one or more metrics further comprises comparing the assigned values with predetermined threshold values.

105. (Currently Amended) An programmed computer apparatus for protecting based upon the six factors of a trade secret from the First Restatement of Torts for providing documentation, analysis, auditing, accounting, protection, and other management relating to an existence, ownership, access and employee notice of a plurality of trade secrets of an organization, said computer comprising:

a) means within the programmed computer for applying a plurality of generally accepted legal criteria to a content of the trade secret providing a questionnaire of six multiple-choice questions on an output device of a computer that elicit responses through an input device of the computer as to the extent that a trade secret meets each of the six factors of a trade secret from the First Restatement of Torts, said six factors including (1) the extent to which the information is known outside of the business; (2) the extent to which it is known by employees and others involved in the business; (3) the extent of measures taken by the business to guard the secrecy of the information; (4) the value of the information to the business and to its competitors; (5) the amount of effort or money expended by the business in developing the information and (6) the ease or difficulty with which the information could be properly acquired or duplicated by others;

b) means within the programmed computer for assigning a value under each criterion providing a numerical score value to each of the responses possible on the questionnaire; and

c) means within the programmed computer for generating one or more metrics from the assigned values through the use of logical and mathematical processes, thereby allowing the comparison of results with predetermined threshold values accepting responses through the input device in response to the questionnaire with respect to a specific trade secret;

d) means within the programmed computer for converting the individual responses received in c) to the respective numerical score values provided in b);

e) means within the programmed computer for calculating the geometric mean, that is, the sixth root of the product, of the numerical score values of d) to create a single metric for the trade secret;

f) means within the programmed computer for repeating steps c), d) and e) for each remaining trade secret of the plurality of trade secrets; and

g) means within the programmed computer for ranking the plurality of trade secrets in ascending order or descending order of the calculated metric.

106. (Currently Amended) The apparatus ~~for protecting the trade secret~~ as in claim 105 further comprising means for creating an application fingerprint from ~~a content of~~ the collected data associated with the trade secret.

107. (Currently Amended) The apparatus ~~for protecting trade secrets~~ as in claim 106 wherein the means for creating the application fingerprint further comprises means for processing the content of the trade secret using a deterministic one-way algorithm.

108. (Currently Amended) The apparatus ~~for protecting trade secrets~~ as in claim 106 further comprising means for transferring the application fingerprint from a creator of the trade secret to a trusted third party.

109. (Currently Amended) The apparatus ~~for protecting trade secrets~~ as in claim 108 further comprising means for creating a certificate fingerprint from the application fingerprint by the trusted third party.

110. (Currently Amended) The apparatus ~~for protecting trade secrets~~ as in claim 109 further comprising means for transmitting the certificate fingerprint from the trusted third party to the creator of the ~~trade secret~~ application fingerprint as a trade secret certificate.

111. (Withdrawn).

112. (Currently Amended) The apparatus ~~for protecting trade secrets~~ as in claim 105 wherein the means for assigning the value further comprises means for assigning numeric values ~~such as~~ on a scale of one to five or a scale of zero to ten.

113. (Currently Amended) The apparatus ~~for protecting trade secrets~~ as in claim 105 wherein the means for generating one or more metrics further comprises means for comparing the assigned values with predetermined threshold values.

114. (Currently Amended) ~~An~~ programmed computer apparatus for protecting based upon the six factors of a trade secret from the First Restatement of Torts for providing documentation, analysis, auditing, accounting, protection, and other management relating to an existence, ownership, access and employee notice of a plurality of trade secrets of an organization, said computer comprising:

a) ~~an information processor adapted to apply a plurality of generally accepted legal criteria to a content of the trade secret~~ a questionnaire of six multiple-choice questions displayed on an output device of the programmed computer that elicit responses through an input device of the computer as to the extent that a trade secret meets each of the six factors of a trade secret from the First Restatement of Torts, said six factors including (1) the extent to which the information is known outside of the business; (2) the extent to which it is known by employees and others involved in the business; (3) the extent of measures taken by the business to guard the secrecy of the information; (4) the value of the information to the business and to its competitors; (5) the amount of effort or money expended by the business in developing the information and (6) the ease or difficulty with which the information could be properly acquired or duplicated by others;

b) ~~an input device adapted to assign a value under each criterion~~ the input device of the programmed computer that accepts the responses elicited by the questionnaire with respect to a specific trade secret; and

c) ~~an arithmetic processor adapted to generate one or more metrics from the assigned values through the use of logical and mathematical processes, thereby allowing the comparison of results with predetermined threshold values~~ a table of descriptive labels and definitions within the programmed computer that converts the elicited responses received from the input device to a respective numerical score value for each of the six factors;

d) an arithmetic processor within the programmed computer that calculates the geometric mean, that is, the sixth root of the product, of the numerical score values of c) to create

a single metric for the trade secret and that repeats the process steps associated with elements b), c) and d) for each remaining trade secret of the plurality of trade secrets; and
e) a comparator processor within the programmed computer that ranks the plurality of trade secrets in ascending order or descending order of the calculated metric.

115. (Currently Amended) The apparatus ~~for protecting the trade secret~~ as in claim 114 further comprising an application processor adapted to create an application fingerprint from ~~a content~~ of the collected data associated with the trade secret.

116. (Currently Amended) The apparatus ~~for protecting trade secrets~~ as in claim 114 further comprising a communication processor adapted to transfer the application fingerprint from a creator of the trade secret to a trusted third party.

117. (Currently Amended) The apparatus ~~for protecting trade secrets~~ as in claim 116 further comprising a certificate processor adapted to create a certificate fingerprint from the application fingerprint by the trusted third party.

118. (Currently Amended) The apparatus ~~for protecting trade secrets~~ as in claim 114 wherein the arithmetic processor further comprises a comparator processor adapted to compare the assigned values with predetermined threshold values.